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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/965,854	10/01/2001	Kurt A. Zarefoss	82001-0189	4038
24633	7590	11/07/2005	EXAMINER	
HOGAN & HARTSON LLP IP GROUP, COLUMBIA SQUARE 555 THIRTEENTH STREET, N.W. WASHINGTON, DC 20004			KRISCIUNAS, LINDA	
			ART UNIT	PAPER NUMBER
			3623	

DATE MAILED: 11/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/965,854	ZAREFOSS ET AL.	
	Examiner	Art Unit	
	Linda Morawski	3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-80 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-80 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1-2-02 & 2-1-02</u> . | 6) <input type="checkbox"/> Other: _____ |

Information Disclosure Statement

The information disclosure statement filed Oct 1, 2001 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because the last listing on page 2 does not indicate a valid patent number. It has been placed in the application file, but the information for that one listing has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609.05(a).

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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Claims 1-6, 9-12, 18-20, 22, 25-28, 34-39, 42-45, 51-54, 57-58, 60, 63-65, 70-71 and 75-76 are rejected under 35 U.S.C. 102(e) as being anticipated by Lindoerfer et al (US 2002/0069096).

As per claim 1, 34, 54 and 70, Lindoerfer teaches storing data (paragraph 17), assigning attributes to the data (paragraph 229: "Setting the DE functionality attribute at Level 2"), creating a hierarchy based on the attributes (paragraph 227 and 229), and manipulating supply chain data by aggregating the data in accordance with the hierarchy to produce aggregated data (paragraph 233).

As per claim 2, 35 and 57, Lindoerfer teaches assigning attributes as being performed by assigning a location (paragraph 62: location code) and product attribute to the data (paragraph 229).

As per claim 3 and 36, Lindoerfer teaches assigning attributes further comprises the step of assigning a user defined attribute to the data (claim 23).

As per claim 4, 37 and 58, Lindoerfer teaches the step of creating a hierarchy is performed by ranking and placing one of the attributes into a hierarchical order (paragraph 228: Figures 56-58, items are listed with respect to priority. Priority is deemed equivalent to ranking as it performs the identical function in substantially the same manner and produces substantially the same results.)

As per claim 5 and 38, Lindoerfer teaches the data is based on a first unit of measure and the step of manipulating the data comprises the step of converting data based on a first unit of measure to data based on a second unit of measure (claim 1: "a second application for formatting the requested supply chain data into at least one

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output data structure" Formatting is deemed equivalent to converting as it performs the identical function in substantially the same manner and produces substantially the same results).

As per claim 6, 22, 39 and 60, Lindoerfer teaches the step of converting the data further comprises the step of creating a conversion chain comprising a factor (paragraph 14: "The SRMS normalizes (converts it to a standard data structure within the SRMS) this data as it applies it to the DBMS thus affording all users access to this data in a single data structure regardless of its original source. ").

As per claim 9, 25 and 42, Lindoerfer teaches the step of assigning a role to a user (paragraph 119: "allows users to better understand their role in the supply chain, resulting in more efficient supply chain management. ")

As per claim 10, 26, 43 and 63, Lindoerfer teaches the role is associated with a filter (paragraph 86: "Users can cause the SRMS to extract data on demand from the DBMS 50, filter it per user requirements, and display the results as a Web page through a network server 70.")

As per claim 11, 27, 44 and 64, Lindoerfer teaches the step of selecting data by filtering data using a filter (paragraph 86: "Users can cause the SRMS to extract data on demand from the DBMS 50, filter it per user requirements, and display the results as a Web page through a network server 70.")

As per claim 12, 28, 45, 65 and 76, Lindoerfer teaches the step of filtering the data using a filter being performed by querying for data having attributes as defined by the filter (paragraph 86: "Users can cause the SRMS to extract data on demand from

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the DBMS 50, filter it per user requirements, and display the results as a Web page through a network server 70.") The whole purpose of using a filter is to gather data that has common attributes as defined by the filter. Lindoerfer allows the user to set the requirements of the filter which include searching by an attribute.)

As per claim 18 and 51, Lindoerfer teaches the step of electronically transmitting the data to a computer device (paragraph 86: "Users can cause the SRMS to extract data on demand from the DBMS 50, filter it per user requirements, and display the results as a Web page through a network server 70.") Data is transmitted to the server electronically.).

As per claim 19 and 52, Lindoerfer teaches the step of electronically transmitting the data to a computer device via an electronic network (paragraph 86: "Users can cause the SRMS to extract data on demand from the DBMS 50, filter it per user requirements, and display the results as a Web page through a network server 70.") A server is a computer related device and an electric network.)

As per claim 20 and 53, Lindoerfer teaches the electronic network is the internet (paragraph 86: "Users can cause the SRMS to extract data on demand from the DBMS 50, filter it per user requirements, and display the results as a Web page through a network server 70.") A Web page is viewed via the internet.).

As per claim 71, Lindoerfer teaches the step of assigning attributes is performed by assigning a location attribute (paragraph 62: location code), a product attribute (paragraph 229) and a user defined attribute to each of said planning data (claim 23).

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As per claim 75, Lindoerfer teaches steps of assigning a role associated with a filter to a user (paragraph 86: "Users can cause the SRMS to extract data on demand from the DBMS 50, filter it per user requirements, and display the results as a Web page through a network server 70.") and selecting the data by filtering the data with a filter (paragraph 86: "Users can cause the SRMS to extract data on demand from the DBMS 50, filter it per user requirements, and display the results as a Web page through a network server 70.").

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 7, 13-14, 21, 23, 29-30, 40, 47, 55-56, 59, 61, 66-67, 72-73, and 77-78 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lindoerfer in view of Haverstock (US 6,301,621).

As per claim 7, 21, 23, 40, 59, 61 and 72, Lindoerfer discloses the claimed invention but does not explicitly teach converting the data. Haverstock teaches that it is known to use a step of applying a factor to the data based on a first unit of measure to data based on a second unit of measure (column 3, lines 45-57) for the benefit of converting data to different formats. Haverstock is an analogous art to Lindoerfer as it also teaches storage and access to a database system. Therefore, it would have been

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obvious to one of ordinary skill in the art at the time of the invention to modify the database access system of Lindoerfer with the conversion component of Haverstock since such a modification would provide the database system with a means for converting the data to allow it to be easily used and compatible with various components of the system.

As per claim 13, 29, 47, 66 and 77, Haverstock teaches creating a customized calendar based on the time period preferences ((36): schedule and calendar module). Haverstock is an analogous art to Lindoerfer as it also teaches storage and access to a database system. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the database access system of Lindoerfer with the customized calendar of Haverstock since such a modification would provide a more user-friendly application.

As per claim 14, 30, 67 and 78, Haverstock teaches the step of manipulating the data which further comprises the step of organizing and incrementing the data to the customized calendar (column 5, lines 59-67 and column 6, lines 1-3). Haverstock is an analogous art to Lindoerfer as it also teaches storage and access to a database system. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the database access system of Lindoerfer with the organizing component of Haverstock since such a modification would provide as easier to use calendar.

As per claim 55, Haverstock teaches the attribute, hierarchy and manipulation modules are located on a server (column 7, line 25). Haverstock is an analogous art to

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Lindoefer as it also teaches storage and access to a database system. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the database access system of Lindoefer with the attribute and hierarchy components of Haverstock since such a modification would provide a means for optimizing the performance of the system.

As per claim 56, Haverstock teaches the server is in communication with users via the internet (column 3, line 26). Haverstock is an analogous art to Lindoefer as it also teaches storage and access to a database system. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the database access system of Lindoefer with the internet feature of Haverstock since such a modification would provide a universal means for accessing the data.

As per claim 73, Haverstock teaches the planning data is based on a first unit of measure (column 3, lines 45-57) and the step of converting the data further comprises the step of creating a conversion chain comprising a factor (paragraph 83: parent/child relationships between nodes of a category hierarchy) and applying the factor to the data based on a first unit of measure to data based on a second unit of measure (column 3, lines 45-57). Haverstock is an analogous art to Lindoefer as it also teaches storage and access to a database system. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the database access system of Lindoefer with the conversion chain component of Haverstock since such a modification would provide a means for making the information more universal.

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4. Claims 8, 15-17, 24, 31-33, 41, 48-50, 62, 68-69, 74, 79 and 80 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lindoerfer in view of Kennedy (US 5,930,156).

As per claim 8, 24, 41, 62 and 74, Lindoerfer discloses the claimed invention, but does not explicitly state manipulating the data from different hierarchies. Kennedy teaches that it is known to manipulate data which comprises the step of allocating aggregate edits (buffer (34)) for a first hierarchical item belonging to a first tier (Figure 2) to at least two second hierarchical items belonging to tiers lower than the first tier in the hierarchy (Operation (36) and operation (44)). Kennedy is an analogous art to Lindoerfer in that it also teaches using a computer network for the planning process. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the planning system of Lindoerfer with the data manipulation system of Kennedy to provide a means for formatting the data for various uses.

As per claim 15, 31 and 48, Kennedy teaches the step of creating a freeze profile (column 10, line 20: date effective field). Kennedy is an analogous art to Lindoerfer in that it also teaches using a computer network for the planning process. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the planning system of Lindoerfer with the profile feature of Kennedy to create a more accurate means for controlling and protecting the information of the system.

As per claim 16, 32, 49 and 79, Kennedy teaches the freeze profile is defined by a freeze period (column 10, line 20: date effective field). Kennedy is an analogous art to Lindoerfer in that it also teaches using a computer network for the planning process.

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Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the planning system of Lindoerfer with the freeze period system of Kennedy to provide a means for creating an accurate reflection of activity during a set period of time.

As per claim 17, 33, 50, 69 and 80, Kennedy teaches the step of assigning the freeze profile to the data preventing the data from being edited during the freeze period (Official notice is taken that both the concept and advantages of protecting data are well known and expected in the art. Therefore, it would have been obvious to have included a data protection system to provide a means for keeping the data protected from users of the system). Kennedy is an analogous art to Lindoerfer in that it also teaches using a computer network for the planning process. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the planning system of Lindoerfer with the freeze profile and period features of Kennedy to provide a means for protecting data and providing an accurate measure of activity during the frozen period with respect to the frozen profile.

As per claim 68, Kennedy teaches a freeze profile module creates a freeze profile, wherein the profile is defined by a freeze period (column 10, line 20: date effective field). Kennedy is an analogous art to Lindoerfer in that it also teaches using a computer network for the planning process. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the planning system of Lindoerfer with the freeze module system of Kennedy to provide a system that protects the data with respect to accuracy for a set period of time and profile.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents also teach similar subject matter to that in the application: Notani (US 5,931,900), Brookler (US 6,754,666), Brookler (US 2005/0131919), Wotring (US 2002/0010700), Exley (US 5,724,577), Greef (US 6,397,221), Bhaskaran et al (US 6,157,915), Bhaskaran et al (US 6,157,915), Reddy et al (6,574,619), Huang et al (5,953,707) and Weber (US 2002/0156663). Non-patent literature references include: "Oracle integrates Manugistics Networks supply chain solution into CPG Applications Suite", M2 Presswire (Coventry), May 7, 1998, pg 1; "New Solutions for Internet Based Supply Chain Collaboration Introduced in Manugistics Networks", PR Newswire (New York), Sept 21, 1998, pg 1; and "Manugistics announces intelligent purchasing solution; Staples using solution to improve purchase order visibility", M2 Presswire (Coventry), Aug 23, 2000, pg 1.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Linda Morawski whose telephone number is 571-272-6931. The examiner can normally be reached on Monday through Friday, 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 571-272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LMM

RMM
10.31.2005


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